

APR 15 2005

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

MICHAEL D. CANADA, )  
                        )  
Plaintiff             )  
                        ) Case No. 4:04cv00063  
v.                     )  
                        )  
JO ANNE B. BARNHART, ) ORDER  
COMMISSIONER OF SOCIAL SECURITY, )  
                        )  
Defendant             )

Pursuant to Standing Order of Reference entered November 5, 1991, this case has been referred to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and recommended disposition. The magistrate judge filed his report and recommendation on March 23, 2005. After reviewing the record in this case and no objections having been filed to the magistrate judge's report and recommendation within ten (10) days of its service upon the parties, this Court adopts the magistrate judge's report in its entirety. Accordingly, it is this day ADJUDGED and ORDERED as follows:

1. The report and recommendation of the United States Magistrate Judge, filed March 23, 2005, shall be, and hereby is, **ADOPTED** in its entirety.
2. Pursuant to the magistrate judge's report, this case is **REMANDED** to the Commissioner under Sentence 6 of 42 U.S.C. § 405(g) for further proceedings. The Appeals Council is directed to conduct a supplemental review of the claim within sixty (60) days of the date of this order.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this order to all counsel of record and to Magistrate Judge Crigler.

ENTERED this 15<sup>th</sup> day of April, 2005..

  
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Senior United States District Judge